

PUBLIC CHAPTER NO. 852

SENATE BILL NO. 2767

By Bunch

Substituted for: House Bill No. 3405

By Watson, Ford, Hill

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 82, relative to utility districts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 82, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 7-82-112.

(a) Notwithstanding the provisions of § 7-82-301(a), a utility district shall be allowed to provide utility service to a customer located within the boundaries of an adjoining utility district if the customer or adjoining utility district files a request with the utility management review board for the customer to obtain utility service from the adjoining utility district and if the utility management review board finds that:

(1) Either the utility district within which the customer is located has refused to provide utility service to such customer or is not able or willing to provide service within a reasonable period of time at a reasonable cost as determined by the utility management review board; and

(2) The adjoining utility district is willing to provide utility service to such customer.

If the utility management review board finds that such customer should be served by the adjoining utility district, then the utility management review board shall enter an order setting forth its findings and granting the service request.

(b) This section shall only apply to the request of a single customer of a utility district for utility service from an adjoining utility district.

(c) Nothing in this section shall be construed to affect the exclusive or prior right of a utility district to provide utility service within its boundaries to any other customer located within its boundaries under

state law or to affect the exclusive or prior right to a utility district to provide utility service within its boundaries under federal law.

SECTION 2. Tennessee Code Annotated, Section 7-82-702, is amended by adding the following language as a new, appropriately numbered subsection:

(18) Hear and act upon the request for utility service by or for a utility district customer made pursuant to § 7-82-112.

SECTION 3. This act shall take effect upon July 1, 2008, the public welfare requiring it.

PASSED: April 21, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 1st day of May 2008



PHIL BREDESEN, GOVERNOR